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PTO/SB/21 (6-98) (modified)
Approved for use through 09/30/00. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/066,264
	Filing Date	1/31/02
	First Named Inventor	Steven Teig, et al.
	Group Art Unit	2825
	Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number SPLX.P0094

Enclosures (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) (* Sheets)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Credit Card Payment Form	<input type="checkbox"/> Response to Restriction Requirement	<input type="checkbox"/> Appeal Communication to Group
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input checked="" type="checkbox"/> Other Enclosures (Listed below):
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Declaration accompanying the Petition	Revised Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Postcard	Original Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Credit Card Payment Form
<input type="checkbox"/> Certified Copy of Priority Documents	Remarks:	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Or Individual name	Mani Adeli, Reg. No. 39,585 of Stattler Johansen & Adeli LLP	
Signature		
Date	June 3, 2003	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 6/3/03			
Typed or printed name	John Stattler MAW: A22		
Signature		Date	June 3, 2003

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#7

Docket No. SPLX.P0094

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Marilyn Adell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Steven Teig, et al.

Serial No.: 10/066,264

Filing Date: 1/31/02

For: METHOD AND APPARATUS FOR
SPECIFYING ENCODED SUB-
NETWORKSPETITION UNDER 37 CFR § 1.137(B)/(F)

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Commissioner for Patents
P.O. Box 1450
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Dear Sir:

OFFICE OF PETITIONS

Applicants hereby petition the Commissioner to revive, if necessary, the above-identified application and accept a modified Request to Rescind Previous Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(ii) (referred to below as the "revised Request to Rescind"). To comply with 35 U.S.C. §122 and 37 CFR 1.213, Applicants previously submitted a Request to Rescind Previous Non-Publication Request (referred to below as the "original Request to Rescind"), within forty-five days of filing a PCT application claiming priority to the patent applications (U.S. Apps 10/061,459, 10/062,017, 10/062,014, 10/062,044) related to the above-identified

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application and with the same exact specification as the above-mentioned application. The original Request to Rescind was the Patent Office form PTO/SB/36, version 11-00.

Applicants' attorney recently reviewed Deputy Commissioner Kunnin's "Reminder that Rescission of a Nonpublication Request is not Itself a Notice of Foreign Filing." *See* OG Notices: 06 May 2003. This reminder reminds applicants that a Rescission of a Nonpublication Request does not operate as a Notice of Foreign filing, and encourages applications to use Patent Office form PTO/SB/36, version April 2001 to rescind a Nonpublication Request as this form also contains a notice regarding foreign filing. Applicants' attorney has also recently reviewed a Notice Regarding Rescission of Nonpublication Request that the Applicants received for another application. This Notice identifies Patent Office form PTO/SB/36, version 10/01 as the proper form to use to rescind a nonpublication request and to provide notice of foreign filing.

As mentioned above, Applicants submitted a previous version of the Patent Office form PTO/SB/36 (i.e., the 11-00 version). Applicants have realized that this previous version does not contain a notice of foreign filing. Applicants, therefore, have enclosed the revised Request to Rescind, which includes the required notice of foreign filing. Applicants have also enclosed a credit card payment form authorizing the required petition fee. Applicants have further enclosed a Declaration In Support of the Petition Under 37 CFR § 1.137(b)/(f). Applicants have also enclosed a copy of the original Request to Rescind and a copy of the postcard accompanying the original Request to Rescind.

Applicants respectfully submit that the entire delay for failure to submit the modified Request to Rescind with the requisite notice of foreign filing was unintentional. Under 35 USC § 122(b)(2)(B)(iii), Applicants request revival, if necessary, of the above-identified application and acceptance of the modified Request to Rescind and this petition.

Applicants petition for any other relief required for the allowance of this petition and hereby authorize the Commissioner to charge any additional cost associated with this petition to **Deposit Account No. 50-1128** referencing SPLX.P0094.

Dated: June 3, 2003

Respectfully submitted,

By: 

Mani Adeli

Registration No. 39,585

Stattler, Johansen & Adeli LLP

P.O. Box 51860

Palo Alto, CA 94303-0728

Phone No. (650) 752-0990 x102

Fax No. (650) 752-0995



Docket No. SPLX.P0094

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Mani Adeli

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Steven Teig, et al.

Serial No.: 10/066,264

Filing Date: 1/31/02

For: **METHOD AND APPARATUS FOR
SPECIFYING ENCODED SUB-
NETWORKS**

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DECLARATION IN SUPPORT OF THE PETITION UNDER 37 CFR § 1.137

I, Mani Adeli, hereby declare:

1. I, am attorney for the Applicants in the above-identified patent application (hereafter referred to as "the Patent Application");
2. To comply with 35 U.S.C. §122 and 37 CFR 1.213, I previously submitted a Request to Rescind Previous Non-Publication Request (referred to below as the "original Request to Rescind"), within forty-five days of filing a PCT application claiming priority to the patent applications (U.S. Apps 10/061,459, 10/062,017, 10/062,014, 10/062,044) related to the above-identified application and with the same exact specification as the above-mentioned application. *See* attached copy of the original Request to Rescind and of the postcard accompanying this Request.
3. The original Request to Rescind was the Patent Office form PTO/SB/36, version 11-00.

4. I recently reviewed Deputy Commissioner Kunin's "Reminder that Rescission of a Nonpublication Request is not Itself a Notice of Foreign Filing." *See* OG Notices: 06 May 2003. This reminder reminds applicants that a Rescission of a Nonpublication Request does not operate as a Notice of Foreign filing, and encourages applications to use Patent Office form PTO/SB/36, version April 2001 to rescind a Nonpublication Request as this form also contains a notice regarding foreign filing.
5. I have also recently reviewed a Notice Regarding Rescission of Nonpublication Request that the Applicants received for another application. This Notice identifies Patent Office form PTO/SB/36, version 10/01 as the proper form to use to rescind a nonpublication request and to provide notice of foreign filing.
6. As mentioned above, I submitted a previous version of the Patent Office form PTO/SB/36 (i.e., the 11-00 version).
7. I have realized that this previous version does not contain a notice of foreign filing and have enclosed a revised Request to Rescind, which contains the required notice of foreign filing.
8. As such, Applicants respectfully submit that the entire delay for failure to submit the modified Request to Rescind with the requisite notice of foreign filing was unintentional.

I hereby declare, under penalty of perjury of law (18 U.S.C. § 1001) that the above statements are true to the best of my knowledge.

By:


Mari Adeli

#8

PTO/SB/36 (05-03)
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

RESCISSION OF PREVIOUS NONPUBLICATION REQUEST(35 U.S.C. 122(b)(2)(B)(ii))AND, IF APPLICABLE,NOTICE OF FOREIGN FILING(35 U.S.C. 122(b)(2)(B)(iii)) Send completed form to: Mail Stop PG Pub Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 FAX: (703) 305-8568		Applicati n Number		10/066,264
		Filing Date		1/31/02
		First Named Inventor		Steven Teig, et al.
		Title	Method and Apparatus for Specifying Encoded Sub-Networks	
		Atty Docket Number		SPLX.P0094
		Group Art Unit		2825
		Examiner		

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby rescind the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

June 3, 2003

Date

650-752-0990x102

Signature

Mani Adeli

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at PGPub@USPTO.

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Jeffrey A. McKinney

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Serial/Patent No.: 10/066,264
Filing Date: 1/31/02
Atty Docket: SPLX.P0094
Applicant(s): Steven Teig, et al.

Atty/Secty: MA
Date Mailed: 2/25/2003

TITLE: Method and Apparatus for Specifying Encoded Sub-Networks

The following has been received by the U.S. Patent & Trademark Office on the date stamped hereon:

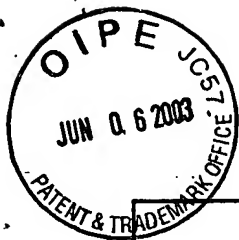
1. Request to Rescind Previous Nonpublication Request 35 U.S.C. 122(b)(2)(B)(ii).



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**REQUEST TO RESCIND PREVIOUS
NONPUBLICATION REQUEST**

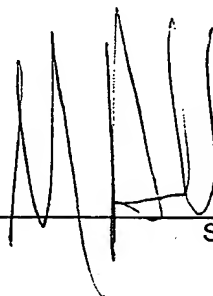
35 U.S.C. 122(b)(2)(B)(ii)

Application Number		10/066,264
Filing Dat		1/31/02
First Named Inventor		Steven Teig, et al.
Title	Method and Apparatus for Specifying Encoded Sub-Networks	
Atty Docket Number		SPLX.P0094
Group Art Unit		2825
Examiner		

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

February 25, 2003

Date


Signature

Mani Adeli

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that recission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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